

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO. 04-1831-CBS
v.)	
)	
)	
SAMUEL J. LEWIS,)	
a/k/a SHAHEED LEWIS,)	
)	
Defendant.)	
)	
)	

ASSENTED TO GOVERNMENT'S MOTION TO EXCLUDE TIME

With the assent of the Defendant, the Government respectfully moves this Court to exclude, in computing the time within which the indictment charging the defendant Samuel J. Lewis a/k/a Shaheed Lewis (the "Defendant" or "Lewis") must be filed under 18 U.S.C. § 3161(b), the following period: November 23, 2004 through December 6, 2004 (delay resulting from the Government's Motion for Detention).

The Defendant is currently charged with making false statements in connection with the acquisition of firearms in violation of 18 U.S.C. § 922(a)(6) and making, or causing to be made, a false entry on an ATF Form 4 Application in violation of 26 U.S.C. §5861(1). The Defendant was arrested on November 22, 2004 and had an initial appearance before this Court on November 23, 2004. At the initial appearance, the Government moved for detention. The Government's motion was resolved on December 6, 2004. Pursuant to 18 U.S.C. §3161(b), the Government is required

to obtain an indictment against Lewis by December 22, 2004.

Pursuant to 18 U.S.C. §3161(h)(1)(F), the period of delay resulting from "the filing of [any pretrial] motion through the conclusion of the hearing on, or other prompt disposition of, such motion" is excludable. Accordingly, with the assent of the Defendant, the Government moves to exclude the 14 day period from November 23, 2004 to December 6, 2004 in computing the time within which an indictment must be filed under 18 U.S.C. 3161(b) thereby extending the date by which the Government is required to obtain an indictment against the Defendant until January 6, 2005.

A proposed Order is attached hereto.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ B. Stephanie Siegmann
B. Stephanie Siegmann
Assistant U.S. Attorneys

Dated: December 10, 2004

CERTIFICATE OF SERVICE

I do hereby certify that a copy of foregoing motion and proposed order was served upon the counsel listed below by electronic notice on this 10th day of December 2004:

Stephen CampoBasso
54 Main Street
Leominster, MA 01453

Timothy Watkins
Federal Defender Office
408 Atlantic Avenue
Boston, MA 02110

/s/ B. Stephanie Siegmann
B. Stephanie Siegmann
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO. 04-1831-CBS
v.)	
)	
)	
SAMUEL J. LEWIS,)	
a/k/a SHAHEED LEWIS,)	
)	
Defendant.)	
)	
)	

ORDER ON EXCLUDABLE DELAY

This Court hereby ORDERS the following period of time excludable from the time period within which the indictment charging the defendant Samuel J. Lewis a/k/a Shaheed Lewis must be filed under 18 U.S.C. § 3161(b): November 23, 2004 through December 6, 2004, a fourteen day period of delay resulting from the Government's Motion for Detention.

So Ordered.

Dated: _____

CHARLES B. SWARTWOOD, III
United States Magistrate Judge